Further, the Examiner states in numbered paragraph 2 of the Office Action that

"regarding IDS filed 6/25/2004, it is noted that reference PowerPoint Presentation cannot be

considered because the Examiner cannot find any verifiable date on said reference." It is

believed that the Examiner refers to the "Microsoft PowerPoint presentation presenting how to

use Primis Online" on the PTO-1449 filed June 25, 2004. Applicant has no further information

about this article as it was supplied by an examiner in one of the co-pending cases (09/489,576).

Therefore, Applicant respectfully requests that the Examiner consider the Microsoft PowerPoint

presentation reference and indicate such consideration by initialing the PTO-1449 form.

II.   Rejection of claims 1-27 and 40-43 under 35 U.S.C. § 103

Claims 1-27 and 40-43 have been rejected under 35 U.S.C. § 103(a) as being

unpatentable over ezWriter 2.0 for Windows (hereinafter ezWriter) in view of Bromberg et al.

(U.S. Patent No. 6,529,889).

Claim 1

The Examiner asserts that ezWriter's index file maps each .rtf file (one file per section)

into a hierarchical tree with parent and child relationships, citing page 8 of ezWriter in support.

Further, the Examiner states that the combination of the parent and child containers of Bromberg

with the parent and child tree representation of ezWriter teaches or suggests the Applicant's

claimed invention. Assuming *arguendo*, that the combination of Bromberg with ezWriter meets

all the limitations of the claim, it is respectfully submitted that it would not have been obvious to

combine the references as the Examiner asserts. In particular, it would not be obvious to one of

skill in the art to combine the .rtf (rich text format) word processing files of ezWriter with the

parent and child container types of Bromberg.

Although ezWriter (page 8) discloses "A Parent Entity," "A Child of that Entity," and "Another Child of that Entity," this aspect of ezWriter was cited by the Examiner for teaching "a plurality of hierarchically related content entities of a content object." See page 3 of Office Action. There is no teaching or suggestion in the prior art that the hierarchically related content entities of ezWriter should use a parent container and a child container. Further, there is no teaching or suggestion in the prior art that a parent container contain a child container or that the child containers can contain content entities (i.e. "A Parent Entity," "A Child of that Entity," and "Another Child of that Entity" as cited by the Examiner), as required by the claim.

Further, there is no reason why the child containers of Bromberg, which contain questions to be answered by an expert, would be combined with the .rtf files of ezWriter (i.e. "A Parent Entity," "A Child of that Entity," and "Another Child of that Entity").

Also, modifying ezWriter to use Bromberg's parent and child containers in place of the .rtf files disclosed in ezWriter would destroy the principle operation of ezWriter, and hence, would not have been an obvious modification to a person of ordinary skill at the time of the invention. See MPEP 2143.01 "The Proposed Modification Cannot Change the Principle of Operation of a Reference." ezWriter, in keeping with its stated goal of providing a "streamlined environment developed especially for writers," uses only a sequence of periods preceding the entries in the ezWriter file to indicate the relationships between those entries such that "to create a child entry of another entry, just add it beneath the particular entry with one extra period." See ezWriter p. 8. It is respectfully submitted that ezWriter does not teach or even suggest the use of containers, much less that a parent container can contain a child container, as required by claim 1 for example. To modify ezWriter to abandon its use of the sequence of periods in front of the

entries in the .ezw file and instead use parent and child containers in which a parent container

can contain a child container, would fundamentally change the principle of operation of how

ezWriter represents relationships among entities. Accordingly, it would not have been obvious

to modify ezWriter to replace its technique of using a sequence of periods to represent

relationships with the parent/child containers of Bromberg.

The motivation given in the Office Action for modifying ezWriter to use the parent/child

containers of Bromberg is that the rollup feature disclosed in Bromberg could be used to make

"set wide" changes throughout the ezWriter set of files. It is respectfully submitted, however,

that the prior art neither teaches nor suggests such a motivation. The Office Action states that

Bromberg discloses that the rollup feature that accompanies the use of parent/child containers

can be used to allow a parent container to contain information on the activity of containers that

are subordinate to it (child containers). However, there is no suggestion of making set wide

changes nor does the prior art suggest a need to make such changes. Although the rollup feature

may allow ezWriter to make set wide edits, there is no teaching or suggestion in ezWriter for

such a modification, particularly since ezWriter automatically saves documents after edits.

Modifying ezWriter to contain the rollup feature of Bromberg would clearly result in a

substantial modification of the principle of operation of ezWriter, and would introduce a level of

complexity that is contradictiory to its goal of providing "a streamlined environment." See

ezWriter under the heading "What's so cool about ezWriter?". This evidences that the

Examiner's reasoning is merely a result of impermissible hindsight. Accordingly, it is

respectfully submitted that there is no teaching or suggestion in the prior art to make the asserted

combination.

For at least the above reasons, it is respectfully submitted that the combination of

ezWriter and Bromberg would not have been obvious. Therefore, claims 1, 4, 8, 11, 15, 18 and

their dependent claims should be deemed patentable.

Claim 40 and 42

The Examiner asserts that claim 40 contains similar subject matter to claim 1, and

therefore, rejects claim 40 using the same rationale as with claim 1. On the contrary, claim 40

recites that "moving a content entity identifier in the first list to a new location comprises:

selecting the content entity identifier from the first list of content entity identifiers to be moved;

and specifying a location from a second list of content entity identifiers where the content entity

identifier from the first list of content entity identifiers is to be moved; wherein the specified

location comprises at least one of a current content entity identifier or a newly created content

entity identifier" which is not recited in claim 1. Consequently, the Examiner's assertion for the

rejection of claim 1 are not applicable to all the elements of claim 40.

In particular, there is no teaching or suggestion in the combination of ezWriter and

Bromberg of "a second list of content entity identifiers." ezWriter discloses a single list of

content entity identifiers. See for example page 8. The order of the content entities within the list

of content entity identifiers is modified by the addition or removal of periods. At no point is the

movement of a content entity identifier performed by "specifying a location from *a second list of

content entity identifiers* where the content entity identifier from the first list of content entity

identifiers is to be moved," as required by claim 40.

Moreover, there is no teaching or suggestion that a location of a second list of content

entity identifiers comprises a current content entity identifier or a newly created content entity

identifier as required by claim 40. Further, any suggestion by the Examiner to modify ezWriter

to include the elements of claim 41 would clearly be a result of impermissible hindsight.

For at least the above reasons, claim 40 and its dependent claim should be deemed

allowable. To the extent claim 42 recites similar subject matter, claim 42 and its dependent

claim should be deemed allowable for the same reasons.

III.   Rejection of claims 28-39 under 35 U.S.C. § 103

Claims 28-39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over

ezWriter and Bromberg and further in view of Poole et al. (U.S. Patent No. 6,006,242).

Claims 28-39 should be deemed patentable by virtue of their dependency to independent

claims 1, 4, 8, 11, 15, and 18 for at least the reasons set forth above and because Poole does not

satisfy the deficiencies of ezWriter and Bromberg.

IV.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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